

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

**DECLARATION OF BENJAMIN W.  
HULSE IN OPPOSITION TO  
PLAINTIFF LEONARD  
VILLAFRANCO'S MOTION FOR  
RELIEF FROM JUDGMENT**

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Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively, "Defendants") in this litigation. I submit this declaration in support of Defendants' Opposition to Plaintiff Leonard Villafranco's Motion for Relief from Judgment. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A are true and correct copies of co-counsel Ted Hartman's July 11, 2018 and September 11, 2018 emails to Plaintiffs' lead counsel with "Defendants' PFS List 1: Overdue Plaintiff Fact Sheets," "Defendants' PFS List 2: Plaintiffs Who Have Not Responded to Defendants' Deficiency Notices," and "Defendants' PFS List 3: Core Deficiencies Remained Following Notice and Response" attached to same.

3. Attached as Exhibit B is a true and correct copy of my August 7, 2018 PFS deficiency letter to Villafranco's counsel, Travis Walker.

4. Attached as Exhibit C are true and correct copies of co-counsel Ted Hartman's November 16, 2018, December 11, 2018, January 8, 2019, February 12, 2019, March 12, 2019, and April 9, 2019 emails to Plaintiffs' lead counsel with "Defendants' PFS List 1: Overdue Plaintiff Fact Sheets," "Defendants' PFS List 2: Plaintiffs Who Have Not Responded to Defendants' Deficiency Notices," and "Defendants' PFS List 3: Core Deficiencies Remained Following Notice and Response" attached to same.

5. Attached as Exhibit D are true and correct copies of my December 14, 2018 and March 15, 2019 emails to the Court with "Defendants' PFS List 1: Overdue Plaintiff Fact Sheets," "Defendants' PFS List 2: Plaintiffs Who Have Not Responded to Defendants' Deficiency Notices," and "Defendants' PFS List 3: Core Deficiencies Remained Following Notice and Response" attached to same.

6. Attached as Exhibit E is a true and correct copy of co-counsel Ted Hartman's December 14, 2018 email to Valerie Marshall copying Villafranco's counsel, Travis Walker.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 19th day of June, 2019.

s/Benjamin W. Hulse  
Benjamin W. Hulse